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Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

0.515.06

AS 1988 1888; BBl 1987 III 797

translation

Convention on the Prohibition of the Military or Other Hostile Use of Environmentally Altering Materials Techniques

Concluded in New York on 10 December 1976. Approved by the Federal Assembly on 18 March 1988. Swiss instrument of accession deposited on 5 August 1988. Entered into force for Switzerland on 5 August 1988.

(As of May 15, 2020)

[1] AS 1988 1887

The contracting states to this Convention,

In an effort to consolidate peace, and guided by the desire to contribute to Ending the arms race, to bring about a general and complete Disarmament under strict and effective international control and for the protection of to protect humanity from the danger of the use of new means of warfare,

determined to continue negotiations in order to achieve effective progress towards further measures in the field of disarmament,

Recognizing that scientific and technological advances can open up new possibilities regarding environmental change,

Referring to the Declaration of the United Nations Conference on the Human Environment adopted in Stockholm on 16 June 1972,

in the realization that the use of environmentally modifying technologies for peaceful purposes the

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Improving the interactions between humans and nature and contributing to the preservation and Improving the environment can contribute to the benefit of present and future generations,

However, recognizing that the military or other hostile use of such technologies can have extremely harmful effects on human well-being,

desiring to effectively prohibit the military or other hostile use of environmentally altering technologies in order to eliminate the dangers to humanity that such use may pose, and reaffirming their
Willingness to work towards achieving this goal,

as well as in the desire to act in accordance with the aims and principles of the Charter of United Nations to strengthen trust between peoples and to further
to contribute to improving the international situation,

have agreed as follows:

2 SR 0.120

Article I

1. Each State Party undertakes not to use environmentally altering technologies that have widespread, long-lasting or severe effects for military purposes or for any other hostile purpose as a means of destroying, damaging or injuring any other State Party.

2. Each State Party undertakes not to assist, encourage, or induce any State, group of States or international organization to perform any act contrary to paragraph 1.

Article II

For the purposes of Article I, the term ‘environment-altering techniques’ refers to any technique for altering the dynamics, composition or structure of the Earth – including flora and fauna, lithosphere, hydrosphere and atmosphere – and outer space by deliberate manipulation of natural processes.

Article III

1. This Convention shall not impede the use of environmentally modifying technologies for peaceful purposes and shall not affect the generally accepted principles and applicable rules of international law relating to such use.

2. The States Parties undertake to promote the widest possible exchange of scientific and technological information on the use

to facilitate the development of environmentally modifying technologies for peaceful purposes, and are entitled to participate in such development. States Parties that are able to do so, alone or jointly with other states or international organizations, contribute to international economic and scientific cooperation in the development of environmentally modifying technologies for peaceful purposes, and are entitled to participate in such cooperation.

Conservation, improvement and peaceful use of the environment with due consideration for the needs of developing regions of the world.

Article IV

Each State Party undertakes to take all measures it deems necessary, in accordance with its constitutional procedures, to prohibit and prevent, in any place under its jurisdiction or control, any activity which violates the provisions of this Convention.

Article V

1. The States Parties undertake to consult with each other and to cooperate in the solution of any problems that may arise in relation to the objectives of the Convention or in the application of its provisions.
Consultation and cooperation based on this Article may also take place through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the use of appropriate international organizations and a consultative panel of experts as provided for in paragraph 2.

2. For the purposes referred to in paragraph 1, the Depositary shall, within one month of receiving a request from a State Party, convene an Advisory Committee of Experts. Each State Party may nominate an expert to this Committee, whose duties and rules of procedure are set out in the Annex, which forms an integral part of this Convention. The Committee shall submit to the Depositary a summary of its findings of fact, taking into account all views and information submitted to it during its work. The Depositary shall distribute the summary to all States Parties.

3. Any State Party which has reason to believe that another State Party is in breach of its obligations under this Convention may lodge a complaint with the United Nations Security Council. Such a complaint should include all relevant information and all available evidence supporting its claim.

4. Each State Party undertakes to cooperate in the conduct of any investigation which the Security Council may initiate, in accordance with the Charter of the United Nations, on the basis of a complaint received by it. The Security Council shall inform the States Parties of the results of the investigation.

5. Each State Party undertakes to comply with the request of any State Party which so requests it.

In accordance with the Charter of the United Nations, to provide assistance or support if the Security Council determines that that State Party has been or is likely to be harmed as a result of a violation of the Convention.

Article VI

1. Any State Party may propose amendments to this Convention. The text of any proposed amendment shall be transmitted to the Depositary, who shall promptly forward it to all States Parties.

2. An amendment shall enter into force for all Contracting States which have accepted it as soon as a majority of the Contracting States have deposited instruments of acceptance with the Depositary.
It will then enter into force for each additional Contracting State on the day of deposit of its instrument of acceptance.

Article VII

This agreement is concluded for an indefinite period of time.

Article VIII

1. Five years after the entry into force of this Convention, the Depositary shall convene a Conference of the States Parties in Geneva, Switzerland. The Conference shall review the operation of the Convention to ensure that its objectives and provisions are achieved; in particular, it shall examine the effectiveness of Article I, paragraph 1, with regard to eliminating the dangers arising from the military or other hostile use of environmentally altering technologies.

2. Thereafter, a majority of the States Parties may, at intervals of at least five years, initiate the convening of a conference with the same objectives by submitting a proposal to the Depositary.

3. If no new conference is held within ten years of the end of a conference
If a conference has been convened pursuant to paragraph 2, the Depositary shall solicit the opinions of all States Parties on the question of convening such a conference. If one-third of the States Parties, or ten of them if that number is less, express their support, the Depositary shall immediately take measures to convene the conference.

Article IX

1. This Convention shall be open for signature by all States. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 may accede to it at any time.

2. This Convention requires ratification by the signatory states.
Instruments of ratification or accession are submitted to the Secretary-General of the United Nations

deposited.

3. This Convention shall enter into force once twenty governments have deposited their instruments of ratification in accordance with paragraph 2.

4. For those States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it shall enter into force on the date of deposit. their instrument of ratification or accession entered into force.

5. The Depositary shall immediately inform all signatory States and all acceding States of the date of each signature, the date of the deposit of each instrument of ratification or accession, the date of the entry into force of this Convention and of all its amendments, and of the receipt of any other communications.

6. This Convention shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

Article X

This Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall transmit duly certified copies to the Governments of the signatory and acceding States.

Signatures

In witness whereof, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, which was opened for signature at Geneva on 18 May 1977.

(Signatures follow)

Annex to the Convention

Advisory Committee of Experts

1. The Advisory Committee of Experts undertakes to make the relevant factual findings and to issue opinions on all problems raised by the State Party requesting the convening of the Committee in accordance with Article V, paragraph 1 of the Convention.

2. The work of the Advisory Committee of Experts shall be organized in such a way as to enable it to perform the tasks described in paragraph 1. The committee shall decide procedural matters relating to the organization of its work by consensus whenever possible; if this is not possible, it shall decide by a majority vote of its members present and voting. Substantive matters shall not be voted on.

3. The Depositary or his representative shall act as Chairman of the Committee.

4. Each expert may bring one or more advisors to the meetings.

5. Every expert is entitled to request, through the chairpersons of states and international organizations, any information and assistance that he deems desirable for carrying out the committee's work.

Agreements

Agreement regarding Article I

The Committee considers that, for the purposes of this Convention, the terms ‘widespread’, ‘long-lasting’ and ‘serious’ are to be interpreted as follows:

"widespread": encompassing an area of several hundred square kilometers; "long-lasting": lasting for
away) months or approximately a season; "serious": causing serious or significant disruption or damage
c) to human life, natural and economic resources, or other goods.

It is further understood that the above interpretation is intended solely for this Convention and is not meant to prejudice the interpretation of the same or similar terms when used in connection with another international agreement.

Agreement on Article II

The Committee considers that the following examples illustrate phenomena that could be caused by the use of environmentally altering techniques defined in Article II of the Convention: earthquakes; tsunamis; disturbance of the ecological balance of a region; changes in weather patterns (clouds, precipitation, cyclones of various types and tornadoes); changes in climate patterns; changes in ocean currents; changes in the state of the ozone layer; and changes in the state of the ionosphere.

It is further assumed that all of the aforementioned phenomena, once caused by the military or other hostile use of environmental-altering techniques, would or are likely to result in widespread, long-lasting, or serious destruction, damage, or injury. The military use defined in Article II

or any other hostile use of environmentally altering techniques with the aim of causing these phenomena as a means of destroying, damaging or injuring another State Party would be prohibited.

Furthermore, it is noted that the above list of examples is not exhaustive.
Other phenomena that differ from the use of environmentally altering materials as defined in Article II
Techniques that might originate from these could also be included in the list. The absence of these techniques...
The inclusion of such phenomena in the list does not mean that the provisions contained in Article I
The obligation would not apply to them once the conditions mentioned in that article were met.
The requirements are met.

Agreement on Article III

The committee assumes that this agreement does not address the question of whether
a specific type of use of environmentally modifying technologies for peaceful purposes with
the generally accepted principles and applicable rules of international law in
There is harmony or there isn't.

Agreement on Article VIII

The committee assumes that a proposal to amend the agreement will also
shall be examined at every conference of the Contracting Parties held pursuant to Article VIII
can. It is further assumed that everyone designated for such an examination
The proposed amendment should be submitted to the depositary, if possible, no later than 90 days before the start of the
It should be presented at the conference.

Scope of application as of May 15, 2020

[3] AS 1988 1888, 1990 1304, 2004 2989, 2005 4995, 2010 2263, 2013 1077, 2018 301 and 2020 2815. One
An updated version of the scope can be found on the EDA website ( ).

Contracting States	ratification Accession (B) Succession declaration (N)		Come into effect	
Afghanistan	October 22, 1985	B	October 22, 1985	
Egypt	April 1st	1982 B	April 1st	1982
Algeria	December 19, 1991	B	19. December	1991

Antigua and Barbuda	October 25, 1988	N	1. November	1981
Argentina*	March 20	1987 B	March 20	1987
Armenia	May 15	2002 B	May 15	2002
Australia	7. September	1984	7. September	1984
Bangladesh	October 3, 1979	B	October 3, 1979	
Belarus	June 7	October 5, 1978		
Belgium	July 12	1982 July 12th		1982
Benin	June 30	1986 June 30th		1986
Brazil	October 12, 1984			
Bulgaria	May 31	October 5, 1978		
Chile	April 26	1994 B	April 26	1994
China	June 8	2005 B	June 8	2005
Hong Kong	June 8	2005 B	June 8	2005
Macau	June 8	2005 B	June 8	2005
Costa Rica	February 7	1996 B	February 7, 1996	
Denmark	April 19	October 5, 1978		
Germany	May 24	1983 May 24th		1983
Dominica	November 9, 1992	N	3. November	1978
Estonia	April 14	2011 B	April 14	2011

Finland	May 12	October 5, 1978		
Ghana	June 22	October 5, 1978		
Greece	August 23	1983 B	August 23	1983
Guatemala*	March 21	1988 B	March 21	1988
Honduras	August 16	2010 B	August 16, 2010	
India	December 15, 1978		December	1978
Ireland	December 16, 1982		December	1982
Italy	November 27, 1981		November	1981
Japan	June 9	1982 B	June 9	1982
Yemen	June 12	1979 B	June 12	1979
Cameroon	April 18	2011 B	April 18	2011
Canada	June 11	June 11, 1981		1981
Cape Verde	October 3, 1979	B	October 3, 1979	
Kazakhstan	April 25	2005 B	April 25	2005
Kyrgyzstan	June 15	2015 B	June 15	2015
Korea (North)	November 8, 1984	B	8. November	1984
South Korea*	December 2, 1986	B	2. December	1986
Cuba	April 10	October 5, 1978		

Kuwait*	January 2nd	1980 B	January 2nd	1980
Laos	October 5, 1978			
Lithuania	April 16	2002 B	April 16	2002
Malawi	October 5, 1978	 B	October 5, 1978	
Mauritius	December 9, 1992	 B	9. December	1992
Mongolia	May 19	October 5, 1978		
New Zealand*	7. September	1984 B	7. September	1984
Cook Islands	7. September	1984 B	7. September	1984
Niue	7. September	1984 B	7. September	1984
Nicaragua	6. September	2007 6.	 September	2007
Netherlands* [a]	April 15	1983 April 15th		1983
Aruba	April 15	1983 April 15th		1983
Curaçao	April 15	1983 April 15th		1983
Caribbean areas (Bonaire, (Sint Eustatius and Sheba)	April 15	1983 April 15th		1983
Sint Maarten	April 15	1983 April 15th		1983
Niger	February 17	1993 B	February 17, 1993	
Norway	February 15	February 15, 1979		
Austria*	January 17	1990 B	January 17	1990
Pakistan	February 27	1986 B	February 27, 1986	

Palestine	December 29, 2017	B	29. December	2017
Panama	May 13	2003 B	May 13	2003
Papua New Guinea	October 28, 1980	B	October 28, 1980	
Poland	June 8	October 5, 1978		
Romania	May 6	1983 May 6th		1983
Russia	May 30	October 5, 1978		
Solomon Islands	June 19	1981 N	July 7	1978
São Tomé and Príncipe	October 5, 1979	B	October 5, 1979	
Sweden	April 27	1984 B	April 27	1984
Switzerland*	August 5th	1988 B	August 5th	1988
Slovakia	May 28	1993 N	January 1st	1993
Slovenia	April 20	2005 B	April 20	2005
Spain	July 19	October 5, 1978		
Sri Lanka	April 25	October 5, 1978		
St. Lucia	May 27	1993 N	February 22, 1979	
St. Vincent and the Grenadines	April 27	1999 N	October 27, 1979	
Tajikistan	October 12, 1999	B	October 12, 1999	
Czech Republic	February 22	1993 N	January 1st	1993

Tunisia	May 11	October 5, 1978		
Ukraine	June 13	October 5, 1978		
Hungary	April 19	October 5, 1978		
Uruguay	16. September	1993 B	16. September	1993
Uzbekistan	May 26	1993 B	May 26	1993
United States*	January 17	1980 January 17th		1980
United Kingdom	May 16	October 5, 1978		
Akrotiri and Dhekelia	May 16	1978 B	October 5, 1978	
Anguilla	May 16	1978 B	October 5, 1978	
Areas under territorial Sovereignty of the United Kingdom	May 16	1978 B	October 5, 1978	
Vietnam	August 26	1980 B	August 26	1980
Cyprus	April 12	October 5, 1978		

* Reservations and explanations.
The reservations and declarations are set out in the AS not published, with the exception of those of Switzerland. The French and English Texts can be found on the website of the United Nations: http://treaties.un.org/ > Enregistrement et Publication > Recueil des Traités des Nations Unies can be viewed or obtained from the Directorate of International Law, Section State treaties, 3003 Bern, can be obtained.

a For the Kingdom in Europe.

Reservations and explanations

Switzerland

With regard to its status as a perpetually neutral state

With regard to its obligations arising from this Convention, Switzerland is obliged to make the general reservation that its cooperation under this Convention cannot exceed the scope established by its status. This reservation relates in particular to Article V, paragraph 5 of the Convention, as well as to any analogous clause that could replace or supplement this provision in the Convention (or in any other agreement).